

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

544A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 783.
Last assessed to: William L. Moore and Peggy Sue Moore, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Nationwide Asset Recovery Service, agent for William L. Moore, last assessee for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 559092009-7;
- 2) Deny the claim from the State of California, Franchise Tax Board;
- 3) Deny the claim from Riverside County Department of Child Support Services;

(Continued on Page 2)

BACKGROUND: In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the March 17, 2003 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 14, 2003. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 13, 2003, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

(Continued on page two)

Paul McDonnell
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL
JUL 20 2005

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|-----------------------|-------------------------------|------------|-------------------------|---------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$1,466.21 | In Current Year Budget: | NO |
| | Current F.Y. Net County Cost: | \$0 | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$0 | For Fiscal Year: | 2005-06 |

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|--|---|--------------------------|
| SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| | Requires 4/5 Vote | <input type="checkbox"/> |

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature *[Signature]*

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | **District:** 3 | **Agenda Number:**

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

9.23

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 4) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Service, agent for William L. Moore in the amount of \$1,466.21, no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

The Treasurer-Tax Collector has received three claims for excess proceeds:

- 1) Claim from Nationwide Asset Recovery Service, agent for William L. Moore based on an Authorization for Agent to Collect Excess Proceeds dated September 23, 2003 and a Grant Deed recorded March 19, 1979 as Instrument No. 53513.
- 2) Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded August 14, 1996 as Instrument No. 306683.
- 3) Claim from Riverside County Department of Child Support Services based on an Abstract of Support Judgment dated January 10, 2001 as Instrument No. 2001-012083.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Nationwide Asset Recovery Service, agent for William L. Moore be awarded excess proceeds in the amount of \$1,466.21. The claims from State of California, Franchise Tax Board and Riverside County Department of Child Support Services are denied because the liens filed are not associated with our last assessee. Since there are no other claimants the amount of \$1,466.20 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail 7001 2510 0000 7596 666, 7001 2510 0000 7596 667 & 7001 2510 0000 7596 668.